

Overview of Equal Employment Opportunity Management Directive - 714

1. Introduction

- Section 717(b) of Title VII of the Civil Rights Act of 1964, as amended requires federal agencies to develop affirmative employment plans. This includes programs to open employment opportunities to all qualified people and provide training to enable employees to advance according to their potential.
- In enacting these statutes, Congress recognized the federal government's leadership role as a model employer.
- The EEOC has oversight responsibility for the operation of equal employment opportunity and affirmative employment (EEO/AE) programs of federal agencies. This oversight responsibility includes the duty to review, evaluate and approve federal agencies' affirmative employment plans and annual progress/accomplishment reports on those plans. EEOC's detailed instructions to federal agencies for planning and reporting affirmative employment efforts is contained in EEOC Management Directive-714 (EEO-MD-714).
- The EEOC is also responsible for submitting an annual report to the President and Congress which describes the employment status of minorities, women, and people with disabilities.

2. Purpose of Federal Affirmative Employment Programs

- In requiring federal agencies to have an affirmative employment program, Congress expects agencies to do more than simply respond when evidence of discrimination is brought to their attention.

- Federal agencies are expected to take lawful, pro-active steps to promote equal employment opportunity and to diagnose and respond to potential barriers and problems of exclusion before those problems develop into findings of discrimination in complaints.
- Note that many of the actions taken to open opportunities also improves the quality of the federal workplace and the functioning of the federal government.

3. EEOC Policy Intent of EEO-Management Directive-714

- The intent of the Commission in issuing EEO-MD-714 is to guide federal agencies in a systematic, multi-faceted methodology for developing and implementing affirmative employment programs which:
 - ✓ Require management accountability systems for holding top managers responsible for achieving EEO/AEP objectives;
 - ✓ Require the use of prescribed affirmative employment program elements to analyze EEO program needs and a reporting mechanism to monitor progress in resolving problems;
 - ✓ Allows for flexibility in agency problem solving to decide which objectives will meet their EEO program needs;
 - ✓ Places specific emphasis on the identification and removal of barriers at all levels of the work force.

4. Highlights of an Effective Equal Employment Opportunity and Affirmative Employment (EEO/AE) Program

- To develop a strong and meaningful affirmative employment program in a federal agency, management must be firmly committed to the principles of equal employment opportunity.

- ✓ Agencies must commit sufficient resources to the EEO program to ensure efficient and successful operation. *[Regulatory Reference: 29 C.F.R. §1614.102(a)(1)]*
- ✓ Efforts in the area of equal employment opportunity should be an important element of the measure of managerial and supervisory performance. *[Regulatory Reference: 29 C.F.R. §1614.102(a)(5)]*
- ✓ Top management must clearly and consistently communicate its support of the agency's equal employment opportunity/affirmative employment programs to both its supervisory and line staff. *[Regulatory Reference: 29 C.F.R. §1614.102(a)(13)]*
- On an ongoing basis, agencies must systematically review the participation of minorities, women, and people with disabilities in their workforce. Guided by the results of these reviews, the agency must review relevant policies and practices and assess whether they limit employment opportunities for any EEO protected group.
- When any barriers are found, the agency must take appropriate and effective action to eliminate or modify those barriers. In doing so, there is a wide array of corrective steps that may be taken as determined by the barriers identified. These corrective steps can include, but are not limited to:
 - ✓ engaging in outreach and recruitment to reach the broadest possible pool of applicants;
 - ✓ utilize the broadest possible area of consideration for vacancy announcements to cast a wide net for potential qualified applicants;
 - ✓ ensure diverse representation on selection panels;

- ✓ maximize employee development and training opportunities for all employees, including employees at the lower grade levels; and,
- ✓ implement alternative dispute resolution mechanisms to promote a climate of trust and openness.